IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 31ST JANUARY 2007 / 11TH MAGHA 1928

Crl.MC.No. 227 of 2007()

AGAINST THE JUDGEMENT/ORDER IN BA.105/2007
CRIME NO.725/06 OF VENJARAMOODU POLICE STATION.

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PETITIONER: ACCUSED

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1. AMSHAN PILLAI, S/O.MEERA SAHIB,
   5TH STONE, ROADARIKATHU VEEDU,
   MANICKAL MURI, PULLAMPARA VILLAGE.

2. SAJEEV, S/O. AMSHAN PILLAI,
   5TH STONE, ROADARIKATHU VEEDU,
   MANICKAL MURI, PULLAMPARA VILLAGE.

BY ADV. SRI.T.A.UNNIKRISHNAN

RESPONDENTS: COMPLAINANT

THE STATE OF KERALA REP.BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY P.P. SMT. LATHA.

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 31/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

CRL.M.C.NO. 227 OF 2007

Dated this the 31st day of January, 2007

ORDER

Directions under Sec.438 of the Cr.P.C. were issued in favour of the petitioners who face the allegations, inter alia, under Secs.420 and 468 read with Sec.34 of the IPC. Anticipatory bail proper was not granted; but a direction was issued that the petitioners can surrender before the Investigating Officer on any day between 18/1/07 and 20/1/07 for the purpose of interrogation and recovery of incriminating material, if any. It was directed that the petitioners should thereafter be produced before the learned Magistrate concerned on the same day. It was further directed that the Magistrate must consider and dispose of the application, if any, filed by the petitioners for regular bail preferably on the same date on which it is filed.

2. The petitioners could not/did not appear before the Investigating Officer between 18/1/07 and 20/1/07. They have now come to this Court with a prayer that the time fixed

may be extended.

3. Notice was given to the learned Public Prosecutor. No serious objection is raised. I am satisfied that the prayer can be allowed and the petitioners can be granted time to surrender before the Investigating Officer.

4. In the result, this petition is allowed. If the petitioners surrender before the Investigating Officer on 5/2/07 at 7 a.m., it shall be reckoned as sufficient compliance with the order dated 16/1/2007.

Sd/-

(R. BASANT, JUDGE)

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P.S. to Judge